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Third Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
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Discussion paper on stockpile management and surplus disposal

I. Rationale and purpose of the discussion paper

1. Poorly managed and insecure small arms and light weapons stockpiles pose a demonstrable risk to public safety and a security threat to societies. Hundreds of people die each year because of failures to manage dangerous national stockpiles. Many more people lose their lives because arms and ammunition diversion from national stockpiles keeps fuelling violent conflict, armed crime and terrorism. Explosions at stockpiles occur throughout the world on a regular basis, and diversion to the illicit market respects no international borders. The mismanagement of arms and ammunition is an issue with the potential to affect all States and the populations that reside close to ammunition stockpiles.

2. The present discussion paper is intended to facilitate a consensual outcome to the Third Biannual Meeting of States and to encourage effective implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. The paper is designed to streamline the often complex issues associated with stockpile management and surplus disposal into a series of targeted discussion points. It outlines a series of challenges for States and suggests legislative, procedural and operational measures that States can implement to improve stockpile management and surplus disposal.

3. Decision-making on stockpile management and surplus disposal is a purely national prerogative. It is for national Governments alone to decide what percentage of their national stockpiles is in surplus; but they can only make this calculation (with reference to their own security needs) if they have effective stockpile management systems in place.

4. Effective stockpile management is not only desirable from the perspective of public safety and security. All States have a significant interest in ensuring that the management of arms and ammunition is as efficient and cost effective as possible. A

reduction in surplus accumulation (and associated storage and maintenance costs) is just one of the benefits offered by advances in stockpile management. Other important benefits are reduced arms and ammunition replacement rates and improvements in reliability — and, by extension, military capability.

5. Conceptually, stockpile management concerns the national stockpile of small arms and light weapons and ammunition. The national stockpile has four broad components: (i) small arms and light weapons and ammunition required by active units of the security forces; (ii) small arms and light weapons and ammunition required by reserve units; (iii) small arms and light weapons and ammunition awaiting repair, modification or reclassification; and (iv) surplus stocks.[1] The national stockpile may be distributed among various branches of the State's internal and external security forces, and effective national stockpile management needs to apply to all these branches.

II. References to stockpile management and surplus disposal in the Programme of Action

6. There are numerous references to stockpile management and surplus disposal in section II ("Preventing, combating and eradicating the illicit trade in small arms and light weapons in all its aspects") of the Programme of Action. These provisions are broad in scope but allow for legislative, procedural and operational improvements to national stockpile management in some critical areas.

> 9. To ensure that comprehensive and accurate records are kept for as long as possible on the manufacture, holding and transfer of small arms and light weapons under their jurisdiction. These records should be organized and maintained in such a way as to ensure that accurate information can be promptly retrieved and collated by competent national authorities.
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> 10. To ensure responsibility for all small arms and light weapons held and issued by the State and effective measures for tracing such weapons.

7. Paragraphs 9 and 10 refer to record-keeping and accounting, which are fundamental prerequisites of effective stockpile management. Accurate accounting can quickly identify stockpile losses or inaccuracies resulting from misplaced munitions and wrongly issued or illicitly diverted stocks. Comprehensive accounting procedures are also a core component of effective technical surveillance of ammunition; they facilitate the management of unstable ammunition and thereby help to minimize the risks of explosion and accidents.

> 16. To ensure that all confiscated, seized or collected small arms and light weapons are destroyed, subject to any legal constraints associated with the preparation of criminal prosecutions, unless another form of disposition or use has been officially authorized and provided that such weapons have been duly marked and registered.

8. Paragraph 16 casts the spotlight on collected weapons and ammunition. This is an important consideration because it notes that stockpile management is as

[1] All States accumulate surplus stockpiles to a greater or lesser extent. For example, the replacement of one type of weapon by another creates a temporary surplus prior to the destruction or disposal of the older model.

applicable to weapons seized during weapons collection and disarmament, demobilization, and reintegration programmes as to national stockpiles. The text tacitly recognizes the risks (from a safety and security perspective) of a failure to destroy collected weapons in a timely manner.

> 17. To ensure, subject to the respective constitutional and legal systems of States, that the armed forces, police or any other body authorized to hold small arms and light weapons establish adequate and detailed standards and procedures relating to the management and security of their stocks of these weapons. These standards and procedures should, inter alia, relate to: appropriate locations for stockpiles; physical security measures; control of access to stocks; inventory management and accounting control; staff training; security, accounting and control of small arms and light weapons held or transported by operational units or authorized personnel; and procedures and sanctions in the event of thefts or loss.
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> 18. To regularly review, as appropriate, subject to the respective constitutional and legal systems of States, the stocks of small arms and light weapons held by armed forces, police and other authorized bodies and to ensure that such stocks declared by competent national authorities to be surplus to requirements are clearly identified, that programmes for the responsible disposal, preferably through destruction, of such stocks are established and implemented and that such stocks are adequately safeguarded until disposal.
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> 19. To destroy surplus small arms and light weapons designated for destruction, taking into account, inter alia, the report of the Secretary-General of the United Nations on methods of destruction of small arms, light weapons, ammunition and explosives (S/2000/1092) of 15 November 2000.

9. Paragraphs 17, 18, and 19 include all the primary elements of stockpile management and surplus disposal. These elements, however, comprise more of a list than a sequenced set of procedures for ensuring effective stockpile management. For reasons of clarity they can be divided as follows:

(a) The constitutional and legislative framework for stockpile management — i.e., what is permissible and, by extension, what legislative advances might be made in this area. Decisions made regarding the location of stockpiles may, for instance, be subject to national legislation. National legislation may also affect the kinds of assistance States can request if they require assistance with surplus disposal;

(b) The procedural framework for stockpile management, including: the physical security measures related to the storage and transportation of stocks; inventory management and accounting systems; and the sanctions that apply in the event of theft or loss. The paragraphs do not explicitly mention the need for safety enhancing measures (such as technical surveillance) but these elements are arguably included under the rubric "inventory management";

(c) The operational framework for stockpile management, including the adequate training of personnel and the identification and responsible disposal of weapons and ammunition. These issues are dependent on States having, or acquiring, the technical capacity to implement national legislation and procedures pertaining to stockpile management.

10. Perhaps the most important point, from the perspective of improved stockpile management and surplus disposal, is the commitment, in paragraph 18, to regularly review small arms and light weapon stocks. The process of review, if comprehensive, is arguably a useful way for national decision-makers to gauge the effectiveness of existing stockpile management practices. If the results of the review are inconclusive, they may indicate that existing stockpile management (particularly accounting and record-keeping) is sub-optimal.

III. Key issues in the implementation of the Programme of Action

11. While the Programme of Action emphasizes counter-proliferation, it calls for increased efforts on three key issues related to national stockpiles; safety, security and the management of small arms and light weapons, ammunition and explosives. As is noted in the previous sections of the present paper, unsafe and unsecured stockpiles are symptomatic of ineffective stockpile management. More than 60 per cent of all explosive events at national stockpiles result from human error, security breaches or the inappropriate storage or handling of ammunition. All of these problems can be addressed through effective stockpile management systems.

12. The rationale for improving stockpile management is fourfold. Firstly, it serves to reduce the risks related to keeping a national stockpile of small arms and light weapons and ammunition, avoiding accidents and securing against proliferation. Secondly, in the event of an accident, effective stockpile management reduces the destructive effects of a catastrophic event on material, personnel and the populations and infrastructure surrounding stockpiles. Thirdly, it involves the establishment of accounting and monitoring systems that can (in conjunction with accurate needs assessments of security forces) prevent the long-term, unchecked development of surpluses. Finally, effective stockpile management serves to preserve the quality of the national stockpile, with important benefits for the effectiveness of security forces and overall cost efficiencies.

13. In combination with thorough risk and needs assessments, moreover, effective stockpile management helps identify unserviceable or unwanted arms and ammunition and classify them as surplus. Proper stockpile management enhances the serviceability of small arms and light weapons and ammunition in the national stockpile, reduces the risk of accidents and misfires and, ultimately, enhances the morale of the security forces.

14. In terms of broad benefits, effective stockpile management and the resulting identification and disposal of surplus have the potential to save infrastructural, material, personnel and training costs related to managing and securing stockpiles of small arms and light weapons and ammunition. Disposing of surpluses through destruction also contributes to regional crisis prevention, security and stability by ensuring that items are not retransferred to regions where they may be subject to ineffective stockpile safety or security regimes.

IV. Challenges

15. The main challenges faced in the field can be subsumed under the three main areas of legislation, procedures and operations.

A. Legislation

16. States need to clarify which national laws and regulations apply to stockpile management. These may affect stockpile management in several ways, including: national divisions of responsibility for stockpile security and safety (i.e. who is responsible in the event of an explosive incident or breach of security); laws governing who can legally stockpile arms and ammunition; laws relating to the physical location of stockpiles; and legislation relating to personnel from other States operating in the country for the purposes of enhancing stockpile management or coordinating the destruction of surplus stockpiles.

B. Procedures

17. Rules and procedures need to be implemented to ensure that stockpile management is carried out within a clear framework, which assigns roles and responsibilities to stockpile management personnel and creates systems for ensuring the security and safety of national stockpiles. All of these processes are mutually dependent. A comprehensive stockpile management regime can best be described as an integrated risk management system.

1. Management systems

18. Keeping an inventory (records and accounting system) is the key issue for proper stockpile management. Needs may only be identified after assessment of assets, liabilities and requirements. Effective programme management, including total asset visibility (quantity and quality), is essential to reducing risks (e.g. auto-ignition)[2] and improve accountability and responsibility. In addition, a combination of risk and needs assessments, together with reliable management structures, is essential in the process of identifying surpluses.

2. Safety

19. International standards recommend periodic and comprehensive physical and chemical surveillance, which can significantly minimize the risks associated with ammunition becoming unstable. The United Nations hazard classification scheme provides additional guidance on safe ammunition transportation, handling and storage compatibility groups. Implementing existing best practice relating to surveillance and handling procedures could reduce significantly the hazards related to stockpiles of small arms and light weapons and ammunition in many States.

[2] A comprehensive accounting system is required in order to schedule chemical surveillance (and functional proof testing) of ammunition.

3. Security

20. Absolute security of small arms and light weapons and ammunition cannot be guaranteed, but the risks related to theft, loss or malfeasance can be identified and reduced to an acceptable level if States conduct a thorough risk assessment of their stockpiles and take the corresponding measures to protect them. Physical security measures include infrastructural and material improvements, adequate selection, training and remuneration of personnel, and the development of standardized working procedures and control mechanisms.

C. Operations

21. Rules and procedures only go so far in ensuring effective stockpile management. Before regulations are implemented at the operational level, capacity within national stockpile management systems must be addressed. Training is one key aspect that needs to be addressed in many States. There is currently a global deficit of technical expertise and States need to be able to train (and retain) qualified stockpile management staff.

22. These challenges persist in many States. One of the main reasons for this is, arguably, that few States that have problems related to the management of arms and ammunition recognize these failings.

23. The international community has developed a number of tools to address stockpile management challenges. Under the broad heading of local awareness-raising, several States organize seminars aimed at explaining to senior armed forces and ministerial personnel the threat posed by poor stockpile management. At the procedural and operational levels, some States offer training to personnel involved in stockpile management, security, safety and surplus disposal, with the objective of sustainable local capacity-building. Finally, States provide assistance, upon request, for the purpose of assessing stockpiles, improving stockpile security and safety, and managing or coordinating surplus disposal.

24. Where assistance is contingent on a request being made by the prospective recipient, this approach places the initiative firmly in the hands of the requesting State. Yet States may have little understanding of the condition of national stockpiles and, therefore, may not request assistance. It is preferable, therefore, that States, regardless of their perceived stockpile situation, make a self-assessment (or request assistance for that purpose) in order to identify any weak areas relating to national stockpile security and safety, and systems or financing of national stockpile management. Self-assessment reflects the commitment to review national stockpiles of small arms and light weapons made in section II, paragraph 18 of the Programme of Action. The development of standards by the international community is a useful tool for any State wishing to conduct self-assessments[3] based on best practices, existing guidelines and structured checklists as these can provide useful guidance on the issues that need to be covered in the review.

[3] A "self-assessment" can be defined as a two-stage procedure whereby States, in a first step, assess the elements and nature of their national stockpiles and, in a second step, determine the current condition of those elements.

V. Questions

25. In order to improve safety, security and management several conditions need to be met. First, strong national commitment to effective national stockpile management and surplus disposal is essential.

26. Two related questions are (i) how to raise awareness regarding national responsibilities and (ii) how to ensure that stockpile management and surplus disposal are a high priority for senior armed forces and ministerial personnel.

27. A committed State needs to be able to assess its stockpile (qualitatively and quantitatively). To facilitate such self-assessment capacities, certain tools have been developed and further tools ought to be developed that can be used and applied nationally and internationally.

28. The question in this context is how to inventory the existing tools and what kind of further tools ought to be developed and disseminated within the international community.

29. Once awareness, commitment and a certain level of self-assessment are secured, national authorities need to develop a way to obtain benefit from appropriate assistance projects offered by the international community. Many States are limited with respect to the scope of assistance in the absence of official requests and the establishment of a legal basis (for example, a memorandum of agreement or a status of forces agreement) for assistance programmes.

30. The question for debate in this regard is how to make sure that requesting States find their way through international assistance procedures and national caveats.

31. Donor States are usually limited with respect to the scope of the assistance they provide to activities mandated by either United Nations or relevant regional organizations. In order to streamline national processes and increase the scope of activities, a protocol to the Programme of Action specifically calling for proper safety, security and management of small arms and light weapons and ammunition, as well as surplus disposal, might be useful for the implementation of these aspects of the Programme of Action.

32. The related question is how to develop such a protocol and what scope should it have.